GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Dept., – Surprise check conducted by ACB over the ICP, Purushothapuram, Ichapuram (M), Srikakulam Dist.on 2.9.2009 - Allegations of corruption against CT personnel – Departmental action for violation of APCS (Conduct) Rules against Sri S.Demudu ACTO (Retired) and nine others – Inquiry conducted under rule 20 of APCS(CC&A) Rules, 1991 – Show cause notice issued under Rule-9 of Andhra Pradesh Revised Pension Rules 1980- Representation filed by Sri S.Demudu ACTO (Retired) – Examined – Decided to impose 5 % cut in pension for a period of two years against Sri S.Demudu, ACTO (Retired) - Concurrence of the commission - Orders - Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.247 **Dated:20.02.2020**
Read the following:-

Ref:- 1.Govt.Memo No.48452/Vig.I(2)/2009-4, dt.02-04-2011.
2.From the Addl.Commissioner of CT (FAC), AP, Hyderabad, CCT Prog.No.V2/388/2011-1, dated 29-04-2011.
3.Govt. Memo No.48452/Vig.II(3)/2009-8, Dated :24-07-2014.
4.From the CCT, Lr.No.V2/388/2011, Dt.18.07.2017.
5.Representation of S.Demudu, ACTO (Retd), dt.24-03-2018.
6.Memo No.48452/Vig.II(3)/2009-20, Dt:14-12-2017.
7.From the CCT, Lr.No.V2/388/2011, Dt.29-06-2018.
8.Govt.Memo No.48452/Vig.II(3)/2009-21,dt.06-09-2018.
9.Representation of Sri S. Demudu, ACTO(Retd), Dt. 8.10.2018.
10.Govt. Lr No. 48452/Vig.II(3)/209, dt. 30.8.2019.
11.From the Secretary, APPSC, Lr No.475/DC&C/219, dt.11.2.2020.

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O R D E R:

Whereas, the Anti Corruption Bureau authorities have conducted surprise check on the Integrated Check Post, Purushothapuram, Itchapuram (M), Srikakulam on 02-09-2009 on the allegations that the staff working in check post are indulging in corruptive practice by collecting bribe from the crew members who are passing through check post. The Anti Corruption Bureau, in their final report, have recommended to accord sanction to prosecute four Accused Officers from Commercial Tax Department on the charges of corruption and simultaneously to initiate departmental action for violation of Andhra Pradesh Civil Services (Conduct) Rules, 1964 against the following (10) Charged Officers belonging to the Commercial Tax Department:

Sri / Smt.

1. S.Demudu, Assistant Commercial Tax Officer.
2. K.V.Harinadh, Assistant Commercial Tax Officer.
3. Bhaskara Prasad, Junior Assistant.
4. S.V.Prasada RAo, Assistant Commercial Tax Officer.
5. K.Kota Guruveswara Rao, Assistant Commercial Tax Officer. File No.48452/Vig.II(3)/2009
6. B.Venkateswara Rao, Junior Inspector.
7. Dharma Raju Sahu @ D.Sahu, Junior Inspector.
8. Kamala Rao, Deputy Commercial Tax Officer & Administrative Officer.
9. V.Uma, Junior Inspector, and
10. D.Shankara Rao, Junior Inspector.

Contd.,2

2. Whereas, with regard to Departmental proceedings, the Government, vide reference 1st read above, furnished the draft Articles of Charge received from the Anti Corruption Bureau authorities to the Commissioner of Commercial Taxes for initiating disciplinary action against the above said ten (10) Commercial Taxes personnel for violation of Andhra Pradesh Civil Services (Conduct) Rules.

3. Whereas, the Disciplinary authority vide reference 2nd read above, has framed the charge against Sri S.Demudu, Assistant Commercial Tax Officer (Retired) along with others. The following charge has been framed against Sri S.Demudu, Assistant Commercial Tax Officer (Retired).

Charge : He has not filed Annual Property Statements to the competent Authority for any year ending during his entire service.

4. Whereas, on denial of charge by Sri S.Demudu, Assistant Commercial Tax Officer (Retired), the Commissioner of Commercial Taxes has appointed Assistant Commissioner (Commercial Taxes), LTU as enquiring officer, who has conducted the enquiry and submitted the inquiry report. Further, the Commissioner of Commercial Taxes has communicated the Inquiry Report to the charged officer and Sri S.Demudu, Assistant Commercial Tax Officer (Retired) has submitted explanation, vide reference 5th read above.

5. The Government have examined the representation submitted by the Accused Officer to the Inquiry Report communicated and observed that he has not put forth any new grounds defending the charge levelled against him.

6. Whereas, the inquiry reports, explanations of the Charged Officers furnished by the Commissioner of Commercial Taxes were examined by the Government in detail and provisionally decided to impose a penalty of 5% cut in pension for a period of two (2) years against Sri S.Demudu, Assistant Commercial Tax Officer (Retired) under rule 9 of Andhra Pradesh Revised Pension Rules, 1980 for the irregularities noticed against him during the surprise check conducted by the Anti Corruption Bureau.

7. In the reference 8th read above, the Government have issued Show cause notice to Sri S.Demudu, Assistant Commercial Tax Officer (Retired), with a direction to show cause as to why the proposed penalty of 5% cut in pension for a period of 2 years should not be imposed upon him for the irregularity committed.

8. Sri S.Demudu, Assistant Commercial Tax Officer (Retired) has submitted his explanation in the reference 9th read above, on the provisional decision stating that he is an old aged Handicapped person and moreover he has been suffering from illhealth since 10 years resulting in financial crisis. He has therefore requested to do justice in his case favourably on humanitarain grounds.

9. Government have examined the matter in detail, after careful examination of the matter, have decided to impose a penalty of 5% cut in pension for a period of 2 years against Sri S.Demudu, Assistant Commercial Tax Officer (Retired), duly following the procedure mentioned under Rule 9 of Andhra Pradesh Revised Pension Rules 1980.

10. Accordingly, Government hereby order to impose a penalty of 5% cut in pension for a period of 2 years against Sri S.Demudu, Assistant Commercial Tax Officer (Retired).

Contd.,3

11. The Chief Commissioner of State Tax, Andhra Pradesh, Vijayawada, shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To
Sri S.Demudu, Assistant Commercial Tax Officer (Retired) (through: the Chief Commissioner of State Tax, Andhra Pradesh, Eedupugallu, Vijayawada)
The Chief Commissioner of State Tax, Andhra Pradesh, Eedupugallu, Vijayawada.

Copy to:

The Secretary to Vigilance Commissioner, APVC, Velagapudi.
The Director General, Anti Corruption Bureau, Andhra Pradesh, P.N.Bus Station, NTR Administration Block, 2nd Floor, Vijayawada.
The Secretary, Andhra Pradesh Public Service Commission, Vijayawada.
The Deputy Commissioner, Commercial Taxes, Srikakulam.
Sf/Sc.

//FORWARDED:: BY ORDER//

SECTION OFFICER